



General Assembly

Substitute Bill No. 6570

January Session, 2005

* HB06570LM 050605 *

AN ACT CONCERNING PLANS OF CONSERVATION AND DEVELOPMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-23 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2005*):

3 (a) (1) At least once every ten years, the commission shall prepare or
4 amend and shall adopt a plan of conservation and development for the
5 municipality. Following adoption, the commission shall regularly
6 review and maintain such plan. The commission may adopt such
7 geographical, functional or other amendments to the plan or parts of
8 the plan, in accordance with the provisions of this section, as it deems
9 necessary. The commission may, at any time, prepare, amend and
10 adopt plans for the redevelopment and improvement of districts or
11 neighborhoods which, in its judgment, contain special problems or
12 opportunities or show a trend toward lower land values.

13 (2) If a plan is not amended decennially, the chief elected official of
14 the municipality shall submit a letter to the Secretary of the Office of
15 Policy and Management and the Commissioners of Transportation,
16 Environmental Protection and Economic and Community
17 Development that explains why such plan was not amended. Until the
18 plan is amended in accordance with this subsection, a copy of such
19 letter shall be included in each application by the municipality for

20 funding for the conservation or development of real property
21 submitted to said secretary or commissioners.

22 (b) In the preparation of such plan, the commission may appoint
23 one or more special committees to develop and make
24 recommendations for the plan. The membership of any special
25 committee may include: Residents of the municipality and
26 representatives of local boards dealing with zoning, inland wetlands,
27 conservation, recreation, education, public works, finance,
28 redevelopment, general government and other municipal functions. In
29 performing its duties under this section, the commission or any special
30 committee may accept information from any source or solicit input
31 from any organization or individual. The commission or any special
32 committee may hold public informational meetings or organize other
33 activities to inform residents about the process of preparing the plan.

34 (c) In preparing such plan, the commission or any special committee
35 shall consider the following: (1) The community development action
36 plan of the municipality, if any, (2) the need for affordable housing, (3)
37 the need for protection of existing and potential public surface and
38 ground drinking water supplies, (4) the use of cluster development
39 and other development patterns to the extent consistent with soil
40 types, terrain and infrastructure capacity within the municipality, (5)
41 the state plan of conservation and development adopted pursuant to
42 chapter 297, (6) the regional plan of development adopted pursuant to
43 section 8-35a, as amended by this act, (7) physical, social, economic
44 and governmental conditions and trends, (8) the needs of the
45 municipality including, but not limited to, human resources,
46 education, health, housing, recreation, social services, public utilities,
47 public protection, transportation and circulation and cultural and
48 interpersonal communications, [and] (9) the objectives of energy-
49 efficient patterns of development, the use of solar and other renewable
50 forms of energy and energy conservation, and (10) protection and
51 preservation of agriculture.

52 (d) (1) Such plan of conservation and development shall (A) be a

53 statement of policies, goals and standards for the physical and
54 economic development of the municipality, (B) provide for a system of
55 principal thoroughfares, parkways, bridges, streets, sidewalks,
56 multipurpose trails and other public ways as appropriate, (C) be
57 designed to promote, with the greatest efficiency and economy, the
58 coordinated development of the municipality and the general welfare
59 and prosperity of its people and identify areas where it is feasible and
60 prudent (i) to have compact, transit accessible, pedestrian-oriented
61 mixed use development patterns and land reuse, and (ii) to promote
62 such development patterns land and reuse, [(C)] (D) recommend the
63 most desirable use of land within the municipality for residential,
64 recreational, commercial, industrial, conservation and other purposes
65 and include a map showing such proposed land uses, [(D)] (E)
66 recommend the most desirable density of population in the several
67 parts of the municipality, [(E)] (F) note any inconsistencies [it may
68 have with the state plan of conservation and development adopted
69 pursuant to chapter 297, (F)] with the following growth management
70 principles: (i) Redevelopment and revitalization of commercial centers
71 and areas of mixed land uses with existing or planned physical
72 infrastructure; (ii) expansion of housing opportunities and design
73 choices to accommodate a variety of household types and needs; (iii)
74 concentration of development around transportation nodes and along
75 major transportation corridors to support the viability of
76 transportation options and land reuse; (iv) conservation and
77 restoration of the natural environment, cultural and historical
78 resources and existing farmlands; (v) protection of environmental
79 assets critical to public health and safety; and (vi) integration of
80 planning across all levels of government to address issues on a local,
81 regional and state-wide basis, provided any inconsistencies with such
82 growth management principles or with any state or regional plan of
83 conservation and development shall not be cause for denial of any
84 environmental permit issued by the state, (G) make provision for the
85 development of housing opportunities, including opportunities for
86 multifamily dwellings, consistent with soil types, terrain and
87 infrastructure capacity, for all residents of the municipality and the

88 planning region in which the municipality is located, as designated by
 89 the Secretary of the Office of Policy and Management under section
 90 16a-4a, [(G)] (H) promote housing choice and economic diversity in
 91 housing, including housing for both low and moderate income
 92 households, and encourage the development of housing which will
 93 meet the housing needs identified in the housing plan prepared
 94 pursuant to section 8-37t and in the housing component and the other
 95 components of the state plan of conservation and development
 96 prepared pursuant to chapter 297. In preparing such plan the
 97 commission shall consider focusing development and revitalization in
 98 areas with existing or planned physical infrastructure.

99 (2) For any municipality that is contiguous to Long Island Sound,
 100 such plan shall be (A) consistent with the municipal coastal program
 101 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
 102 reasonable consideration for restoration and protection of the
 103 ecosystem and habitat of Long Island Sound, and (C) designed to
 104 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
 105 Long Island Sound.

106 (e) Such plan may show the commission's and any special
 107 committee's recommendation for (1) conservation and preservation of
 108 traprock and other ridgelines, (2) [a system of principal thoroughfares,
 109 parkways, bridges, streets and other public ways, (3)] airports, parks,
 110 playgrounds and other public grounds, [(4)] (3) the general location,
 111 relocation and improvement of schools and other public buildings,
 112 [(5)] (4) the general location and extent of public utilities and terminals,
 113 whether publicly or privately owned, for water, sewerage, light,
 114 power, transit and other purposes, [(6)] (5) the extent and location of
 115 public housing projects, [(7)] (6) programs for the implementation of
 116 the plan, including (A) a schedule, (B) a budget for public capital
 117 projects, (C) a program for enactment and enforcement of zoning and
 118 subdivision controls, building and housing codes and safety
 119 regulations, (D) plans for implementation of affordable housing, [and]
 120 (E) plans for open space acquisition and greenways protection and
 121 development, and (F) plans for corridor management areas along

122 limited access highways or rail lines, designated under section 16a-27,
123 as amended by this act, (7) proposed priority funding areas, and (8)
124 any other recommendations as will, in the commission's or any special
125 committee's judgment, be beneficial to the municipality. The plan may
126 include any necessary and related maps, explanatory material,
127 photographs, charts or other pertinent data and information relative to
128 the past, present and future trends of the municipality.

129 (f) A plan of conservation and development or any part thereof or
130 amendment thereto prepared by the commission or any special
131 committee shall be reviewed, and may be amended, by the
132 commission prior to scheduling at least one public hearing on
133 adoption. [At least sixty-five days prior to the public hearing on
134 adoption, the commission shall submit a copy of such plan or part
135 thereof or amendment thereto for review and comment to the
136 legislative body. Such body may hold one or more hearings on the
137 proposed plan and shall submit any comments to the commission
138 prior to the public hearing on adoption. The failure of such body to
139 report prior to or at the public hearing shall be taken as approval of the
140 plan.] At least [sixty-five] thirty-five days prior to the public hearing
141 on adoption, the commission shall post the draft plan on the Internet
142 web site of the municipality, if any, and submit a copy of such draft
143 plan to the regional planning agency for review and comment. The
144 regional planning agency shall [report] submit an advisory report
145 along with its comments to the commission at or before the hearing.
146 [The failure of the regional planning agency to report at or before the
147 hearing shall be taken as approval of the plan. The report of the
148 regional planning agency shall be advisory.] Such comments shall
149 include a finding on the consistency of the draft plan with (1) the
150 regional plan of development, adopted under section 8-35a, as
151 amended by this act, (2) the state plan of conservation and
152 development, adopted pursuant to chapter 297, and (3) the plans of
153 conservation and development of other municipalities in the area of
154 operation of the regional planning agency. The commission may revise
155 the draft plan in accordance with the report of the regional planning

156 agency. The commission may render a decision on the plan without
157 the report of the regional planning agency. Prior to the public hearing
158 on adoption, the commission shall file in the office of the town clerk a
159 copy of such draft plan or part thereof or amendment thereto but, in
160 the case of a district commission, such commission shall file such
161 information in the offices of both the district clerk and the town clerk.
162 The commission shall cause to be published in a newspaper having a
163 general circulation in the municipality, at least twice at intervals of not
164 less than two days, the first not more than fifteen days, or less than ten
165 days, and the last not less than two days prior to the date of each such
166 hearing, notice of the time and place of any such public hearing. Such
167 notice shall make reference to the filing of such draft plan in the office
168 of the town clerk, or both the district clerk and the town clerk, as the
169 case may be. After completion of the public hearing, the commission
170 may revise the draft plan. The proposed final plan shall be submitted
171 to the legislative body for its endorsement. The legislative body shall
172 endorse or reject the entire proposed final plan or parts thereof and
173 may submit comments and recommended changes to the commission.
174 In the case of a municipality in which the legislative body is a town
175 meeting, the proposed final plan shall be submitted to the board of
176 selectmen. The board may conduct a public hearing on such plan. Not
177 more than forty-five days after receipt of the plan by the board of
178 selectmen, the entire proposed final plan or parts thereof may be
179 endorsed or rejected at a town meeting and such town meeting may
180 submit comments and recommended changes to the commission.

181 (g) The commission may adopt the plan or any part thereof or
182 amendment thereto by a single resolution or may, by successive
183 resolutions, adopt parts of the plan and amendments thereto. Any
184 plan, section of a plan or recommendation in the plan, not endorsed by
185 the legislative body of the municipality may be adopted by the
186 commission by a vote of not less than two-thirds of all the members of
187 the commission. Upon adoption by the commission, any plan or part
188 thereof or amendment thereto shall become effective at a time
189 established by the commission, provided notice thereof shall be

190 published in a newspaper having a general circulation in the
191 municipality prior to such effective date. Any plan or part thereof or
192 amendment thereto shall be posted on the Internet web site of the
193 municipality, if any, and shall be filed in the office of the town clerk,
194 except that, if it is a district plan or amendment, it shall be filed in the
195 offices of both the district and town clerks. The commission shall
196 notify the Secretary of the Office of Policy and Management of any
197 inconsistency between the plan adopted by the commission and the
198 state plan of conservation and development and the reasons therefor.

199 [(h) Following adoption of a new plan by the commission, the
200 legislative body of any municipality may hold one or more hearings on
201 the proposed plan and, by resolution, may endorse the plan for the
202 municipality.]

203 (h) Any owner or tenant, or authorized agent of such owner or
204 tenant, of real property or buildings thereon located in the
205 municipality may submit a proposal to the commission requesting a
206 change to the plan of conservation and development. Such proposal
207 shall be submitted in writing and on a form prescribed by the
208 commission. Notwithstanding the provisions of subsection (a) of
209 section 8-7d, the commission shall determine if a public hearing shall
210 be held on the proposal not less than thirty-five days after submission
211 of such proposal. The commission shall hold a public hearing on such
212 proposal if it determines that such hearing is in the public interest.
213 Except as provided in this section, any public hearing and decision
214 shall be in accordance with the periods of time permitted under section
215 8-7d. The commission shall approve, deny or modify the proposal.
216 Notwithstanding the provisions of this section, if the commission
217 determines, at any time after the proposal is received, that such
218 proposal would require changes to the plan of conservation and
219 development that would be a significant change to the policies and
220 goals of the plan of conservation and development, the commission
221 shall consider the proposal in accordance with the provisions of
222 subsection (f) of this section.

223 Sec. 2. Section 8-35a of the general statutes is repealed and the
224 following is substituted in lieu thereof (*Effective July 1, 2005*):

225 (a) [Each] At least once every ten years, each regional planning
226 agency shall make a plan of development for its area of operation,
227 showing its recommendations for the general use of the area including
228 land use, housing, principal highways and freeways, bridges, airports,
229 parks, playgrounds, recreational areas, schools, public institutions,
230 public utilities, agriculture and such other matters as, in the opinion of
231 the agency, will be beneficial to the area. Any regional plan so
232 developed shall be based on studies of physical, social, economic and
233 governmental conditions and trends and shall be designed to promote
234 with the greatest efficiency and economy the coordinated development
235 of its area of operation and the general welfare and prosperity of its
236 people. Such plan may encourage energy-efficient patterns of
237 development, the use of solar and other renewable forms of energy,
238 and energy conservation. Such plan shall be designed to promote
239 abatement of the pollution of the waters and air of the region. The
240 regional plan shall identify areas where it is feasible and prudent (1) to
241 have compact, transit accessible, pedestrian-oriented mixed use
242 development patterns and land reuse, and (2) to promote such
243 development patterns and land reuse and shall note any
244 inconsistencies with the following growth management principles: (A)
245 Redevelopment and revitalization of regional centers and areas of
246 mixed land uses with existing or planned physical infrastructure; (B)
247 expansion of housing opportunities and design choices to
248 accommodate a variety of household types and needs; (C)
249 concentration of development around transportation nodes and along
250 major transportation corridors to support the viability of
251 transportation options and land reuse; (D) conservation and
252 restoration of the natural environment, cultural and historical
253 resources and traditional rural lands; (E) protection of environmental
254 assets critical to public health and safety; and (F) integration of
255 planning across all levels of government to address issues on a local,
256 regional and state-wide basis. The plan of each region contiguous to

257 Long Island Sound shall be designed to reduce hypoxia, pathogens,
258 toxic contaminants and floatable debris in Long Island Sound.

259 (b) Before adopting the regional plan of development or any part
260 thereof or amendment thereto the agency shall hold at least one public
261 hearing thereon, notice of the time, place and subject of which shall be
262 given in writing to the chief executive officer and planning
263 commission, where one exists, of each member town, city or borough,
264 [, and to the Secretary of the Office of Policy and Management, or his
265 designee.] Notice of the time, place and subject of such hearing shall be
266 published once in a newspaper having a substantial circulation in the
267 region. At least sixty-five days before the public hearing the regional
268 planning agency shall post the plan on the Internet web site of the
269 agency, if any, and submit the plan to the Secretary of the Office of
270 Policy and Management for findings in the form of comments and
271 recommendations. Such findings shall include a review of the plan to
272 determine if the proposed regional plan of development is not
273 inconsistent with the state plan of conservation and development. Such
274 notices shall be given not more than twenty days nor less than ten days
275 before such hearing. The regional planning agency shall note on the
276 record any inconsistency with the state plan of conservation and
277 development and the reasons for such inconsistency. Adoption of the
278 plan or part thereof or amendment thereto shall be made by the
279 affirmative vote of not less than a majority of the representatives on
280 the agency. [A] The plan shall be posted on the Internet web site of the
281 agency, if any, and a copy of the plan or of any amendments thereto,
282 signed by the chairman of the agency, shall be transmitted to the chief
283 executive officers, the town, city or borough clerks, as the case may be,
284 and to planning commissions, if any, in member towns, cities or
285 boroughs, and to the Secretary of the Office of Policy and
286 Management, or his designee. The regional planning agency shall
287 notify the Secretary of the Office of Policy and Management of any
288 inconsistency with the state plan of conservation and development and
289 the reasons therefor.

290 (c) The regional planning agency shall revise the plan of

291 development not more than three years after the effective date of this
292 section.

293 (d) The regional planning agency shall assist municipalities within
294 its region and state agencies and may assist other public and private
295 agencies in developing and carrying out any regional plan or plans of
296 such regional planning agency. The regional planning agency may
297 provide administrative, management, technical or planning assistance
298 to municipalities within its region and other public agencies under
299 such terms as it may determine, provided, prior to entering into an
300 agreement for assistance to any municipality or other public agency,
301 the regional planning agency shall have adopted a policy governing
302 such assistance. The regional planning agency may be compensated by
303 the municipality or other public agency with which an agreement for
304 assistance has been made for all or part of the cost of such assistance.

305 Sec. 3. Section 16a-27 of the general statutes is repealed and the
306 following is substituted in lieu thereof (*Effective July 1, 2005*):

307 (a) The secretary, after consultation with all appropriate state,
308 regional and local agencies and other appropriate persons shall prior
309 to March 1, 2003, complete a revision of the existing plan and enlarge it
310 to include, but not be limited to, policies relating to transportation,
311 energy and air. Any revision made after May 15, 1991, shall identify
312 the major transportation proposals, including proposals for mass
313 transit, contained in the master transportation plan prepared pursuant
314 to section 13b-15. Any revision made after July 1, 1995, shall take into
315 consideration the conservation and development of greenways that
316 have been designated by municipalities and shall recommend that
317 state agencies coordinate their efforts to support the development of a
318 state-wide greenways system. The Commissioner of Environmental
319 Protection shall identify state-owned land for inclusion in the plan as
320 potential components of a state greenways system.

321 (b) Any revision made after August 20, 2003, shall take into account
322 (1) economic and community development needs and patterns of

323 commerce, and (2) linkages of affordable housing objectives and land
324 use objectives with transportation systems.

325 (c) Any revision made after March 1, 2006, shall (1) take into
326 consideration risks associated with natural hazards, including, but not
327 limited to, flooding, high winds and wildfires; (2) identify the potential
328 impacts of natural hazards on infrastructure and property; and (3)
329 make recommendations for the siting of future infrastructure and
330 property development to minimize the use of areas prone to natural
331 hazards, including, but not limited to, flooding, high winds and
332 wildfires.

333 (d) Any revision after July 1, 2005, shall describe the progress
334 towards achievement of the goals and objectives established in the
335 previously adopted state plan of conservation and development and
336 shall identify (1) areas where it is prudent and feasible (A) to have
337 compact, transit accessible, pedestrian-oriented mixed-use
338 development patterns and land reuse, and (B) to promote such
339 development patterns and land reuse, (2) priority funding areas
340 designated under section 5 of this act, and (3) corridor management
341 areas on either side of a limited access highway or a rail line. In
342 designating corridor management areas, the secretary shall make
343 recommendations that (A) promote land use and transportation
344 options to reduce the growth of traffic congestion; (B) connect
345 infrastructure and other development decisions; (C) promote
346 development that minimizes the cost of new infrastructure facilities
347 and maximizes the use of existing infrastructure facilities; and (D)
348 increase intermunicipal and regional cooperation.

349 ~~[(d)]~~ (e) Thereafter on or before March first in each revision year the
350 secretary shall complete a revision of the plan of conservation and
351 development.

352 Sec. 4. Section 16a-28 of the general statutes is repealed and the
353 following is substituted in lieu thereof (*Effective July 1, 2005*):

354 (a) The secretary shall present a draft of the revised plan of

355 conservation and development for preliminary review to the
356 continuing legislative committee on state planning and development
357 prior to September first in 2002 and prior to September first in each
358 prerevision year thereafter.

359 (b) After December first in 1985 and after December first in each
360 prerevision year thereafter the secretary shall proceed with such
361 further revisions of the draft of the revised plan of conservation and
362 development as he deems appropriate. The secretary shall, by
363 whatever means he deems advisable, publish said plan and
364 disseminate it to the public on or before March first in revision years.
365 The secretary shall post the plan on the Internet web site of the state.

366 (c) Within five months of publication of said revised plan the
367 secretary shall hold public hearings, in cooperation with regional
368 planning agencies, to solicit comments on said plan.

369 Sec. 5. (NEW) (*Effective July 1, 2005*) (a) As used in this section and
370 sections 6 to 9, inclusive:

371 (1) "Funding" includes any form of assurance, guarantee, grant
372 payment, credit, tax credit or other assistance, including a loan, loan
373 guarantee, or reduction in the principal obligation of or rate of interest
374 payable on a loan or a portion of a loan;

375 (2) "Growth-related project" means any project which includes (A)
376 the acquisition of real property when the acquisition costs are in excess
377 of one hundred thousand dollars, except the acquisition of open space
378 for the purposes of conservation or preservation; (B) the development
379 or improvement of real property when the development costs are in
380 excess of one hundred thousand dollars; (C) the acquisition of public
381 transportation equipment or facilities when the acquisition costs are in
382 excess of one hundred thousand dollars; or (D) the authorization of
383 each state grant, any application for which is not pending on July 1,
384 2006, for an amount in excess of one hundred thousand dollars, for the
385 acquisition or development or improvement of real property or for the
386 acquisition of public transportation equipment or facilities, except the

387 following: (i) Projects for maintenance, repair, additions or renovations
 388 to existing facilities, acquisition of land for telecommunications towers
 389 whose primary purpose is public safety, parks, conservation and open
 390 space, and acquisition of agricultural, conservation and historic
 391 easements; (ii) funding by the Department of Economic and
 392 Community Development for any project financed with federal funds
 393 used to purchase or rehabilitate existing single or multi-family housing
 394 or projects financed with the proceeds of revenue bonds if the
 395 Commissioner of Economic and Community Development determines
 396 that application of this section and sections 6 and 7 of this act (I)
 397 conflicts with any provision of federal or state law applicable to the
 398 issuance or tax-exempt status of the bonds or any provision of any
 399 trust agreement between the Department of Economic and
 400 Community Development and any trustee, or (II) would otherwise
 401 prohibit financing of an existing project or financing provided to cure
 402 or prevent any default under existing financing; (iii) projects that the
 403 Commissioner of Economic and Community Development determines
 404 promote fair housing choice and racial and economic integration as
 405 described in section 8-37cc of the general statutes; (iv) projects at an
 406 existing facility needed to comply with state environmental or health;
 407 (v) school construction projects funded by the Department of
 408 Education under chapter 173 of the general statute; and (vi) any other
 409 project, funding or other state assistance not included under
 410 subparagraphs (A) to (D), inclusive, of this subdivision.

411 (3) "Priority funding area" means the area of the state designated
 412 under subsection (b) of this section.

413 (b) The Secretary of the Office of Policy and Management, in
 414 consultation with the Commissioners of Economic and Community
 415 Development, Environmental Protection, Public Works, Agriculture,
 416 Transportation and regional planning agencies shall develop
 417 recommendations for delineation of the boundaries of priority funding
 418 areas in the state and for revisions thereafter. In making such
 419 recommendations the secretary shall consider areas designated as
 420 regional centers, growth areas, neighborhood conservation areas and

421 rural community centers on the state plan of conservation and
 422 development, redevelopment areas, distressed municipalities, as
 423 defined in section 32-9p of the general statutes; targeted investment
 424 communities, as defined in section 32-222 of the general statutes;
 425 public investment communities, as defined in section 7-545 of the
 426 general statutes, enterprise zones, designated by the Commissioner of
 427 Economic and Community Development under section 32-70 of the
 428 general statutes and corridor management areas identified in the state
 429 plan of conservation and development. The secretary shall submit the
 430 recommendations to the Continuing Legislative Committee on State
 431 Planning and Development established pursuant to section 4-60d of
 432 the general statutes for review when the state plan of conservation and
 433 development is submitted to such committee in accordance with
 434 section 16a-29 of the general statutes. The committee shall report its
 435 recommendations to the General Assembly at the time said state plan
 436 is submitted to the General Assembly under section 16a-30 of the
 437 general statutes. The boundaries shall become effective upon approval
 438 of the General Assembly.

439 Sec. 6. (NEW) (*Effective July 1, 2005*) (a) On and after the approval of
 440 the General Assembly of the boundaries of priority funding areas
 441 under section 5 of this act, no state agency, department or institution
 442 shall provide funding for a growth-related project unless such project
 443 is located in a priority funding area.

444 (b) Notwithstanding the provisions of subsection (a) of this section,
 445 the head of a state department, agency or institution, with the approval
 446 of the Secretary of the Office of Policy and Management, may provide
 447 funding for a growth-related project that is not located in a priority
 448 funding area upon determination that such project is consistent with
 449 the plan of conservation and development, adopted under section 8-23
 450 of the general statutes, as amended by this act, of the municipality in
 451 which such project is located and that such project (1) enhances other
 452 activities targeted by state agencies, departments and institutions to a
 453 municipality within the priority funding area, (2) is located in a
 454 distressed municipality, as defined in section 32-9 of the general

455 statutes, targeted investment community, as defined in section 32-222
456 of the general statutes, or public investment community, as defined in
457 section 7-545 of the general statutes, (3) supports existing
458 neighborhoods or communities, (4) promotes the use of mass transit,
459 (5) provides for compact, transit accessible, pedestrian-oriented mixed
460 use development patterns and land reuse and promotes such
461 development patterns and land reuse, (6) creates an extreme inequity,
462 hardship or disadvantage that clearly outweighs the benefits of
463 locating the project in a priority funding area if such project were not
464 funded, (7) has no reasonable alternative for the project in a priority
465 funding area in another location, (8) must be located away from other
466 developments due to its operation or physical characteristics, or (9) is
467 for the reuse or redevelopment of an existing site.

468 (c) Not more than one year after the designation of priority funding
469 areas, and annually thereafter, each department, agency or institution
470 shall prepare a report that describes grants made under subsection (b)
471 of this section and the reasons therefor.

472 Sec. 7. (*Effective July 1, 2005*) On and after the approval of the
473 General Assembly of the boundaries of priority funding areas
474 pursuant to section 5 of this act, each state agency, department or
475 institution shall cooperate with municipalities to ensure that programs
476 and activities in rural areas sustain village character.

477 Sec. 8. (NEW) (*Effective July 1, 2005*) On and after the approval of the
478 General Assembly of the boundaries of priority funding areas under
479 section 5 of this act, each state agency and department shall review
480 regulations adopted in accordance with the provisions of chapter 54 of
481 the general statutes and modify such regulations to carry out the
482 purpose of coordinated management of growth-related projects in
483 priority funding areas.

484 Sec. 9. (NEW) (*Effective July 1, 2005*) The Office of Policy and
485 Management, within available appropriations, shall coordinate review
486 of federal projects in relation to their location in priority funding areas

487 to encourage location in urban areas pursuant to the provisions of
488 Federal Executive Order 12072-Federal Space Management.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	8-23
Sec. 2	<i>July 1, 2005</i>	8-35a
Sec. 3	<i>July 1, 2005</i>	16a-27
Sec. 4	<i>July 1, 2005</i>	16a-28
Sec. 5	<i>July 1, 2005</i>	New section
Sec. 6	<i>July 1, 2005</i>	New section
Sec. 7	<i>July 1, 2005</i>	New section
Sec. 8	<i>July 1, 2005</i>	New section
Sec. 9	<i>July 1, 2005</i>	New section

ENV *Joint Favorable Subst.*

LM *Joint Favorable*